

BOARD OF SELECTMEN
Minutes of April 6, 2020

CALL TO ORDER: Chairman Ross McLeod called the meeting to order at 7:05 pm. Selectman Bruce Breton and Town Administrator David Sullivan were present, Selectman Roger Hohenberger, Heath Partington, Jennifer Simmons, and Chair Ross McLeod were in attendance via video conference call. Mr. McLeod opened with the Pledge of Allegiance.

Mr. McLeod read a statement from Governor Sununu regarding Executive Order 2020-04 #12 which allows the Board of Selectmen to meet electronically and allow public access to the meeting via phone or electronic means. He read the access phone number, text message number, and email address available for the public. Members of the Board of Selectmen participated via Zoom Conference. Other than themselves, only Mr. Lessard, assessing consultant from MRI were allowed access to the Zoom connection.

Mr. McLeod did a roll call of the members on the conference to ensure there was no one present in the rooms they were conferencing from. Jennifer Simmons, Heath Partington, Roger Hohenberger and he all affirmed they were alone for the meeting.

ANNOUNCEMENTS/LIAISON REPORTS: Mrs. Simmons announced that the Easter Bunny was at the High School this past Saturday waving at cars and will be there again this coming Saturday. She also noted that signs have been placed at the Town parks to promote social distancing.

Mr. McLeod thanked all our First Responders for their efforts during this difficult time and always.

Mr. McLeod announced a change to the agenda. The Tax Abatement request for Lot 13-A-198 by Windham Academy has been continued due to the current situation at the applicant's request. He advised the Board members to reach out to Karl Dubay if they had any questions or wanted particular information made available prior to hearing the request at a future meeting.

Chief Lewis announced a new Federal Law Enforcement Emergency Grant in the amount of \$3.4 Million that is available for police departments to offset costs of overtime, equipment, supplies and training necessitated as a result of the Pandemic. The grant would reimburse eligible expenses in full with no matching requirement. Mr. Hohenberger moved and Mrs. Simmons seconded to authorize the Chief to apply for grant funds. Roll call Vote – All members Yes. Motion passed 5-0.

Chief Lewis announced that many community donations are coming in. He noted that the department can accept some, but not others due to the Pandemic. He thanked all those offering to help. He recognized in particular ServPro for offering to clean all Police Cruisers during this time at no cost. Mr. McLeod expressed gratitude to ServPro on behalf of the Board of Selectmen.

Chief Lewis announced that the Police Department, in conjunction with the Recreation Department, is taking pictures of the Easter Bunny in various locations throughout Town during the next seven days. Children in Town are encouraged to go on the Police Facebook page to see if they can figure out where the Easter Bunny is each day.

PILOT AGREEMENT – MCAULEY COMMONS: Mr. Hohenberger recused himself from the discussion as he is on the Board at McAuley Commons. Mr. Sullivan requested support to continue the existing PILOT Agreement with McAuley Commons for a period of an additional 5 years. Mr. Lessard reviewed the agreement, drafted by Attorney Campbell, explaining that the payment schedule would continue to be twice per year but now will align with the dates that all other tax payments are due. Motion to enter into the agreement as presented by Jennifer Simmons, seconded by Heath Partington. Mrs. Simmons moved and Mr. Partington seconded to accept the terms of the agreement as presented. Roll call Vote – All members Yes. Motion passed 4-0. Mr. Hohenberger thanked the Board on behalf of McAuley Commons. Mr. Lessard will send the approved agreement to McAuley Commons for signatures and will then give to the Board for signatures.

PERSONNEL POLICY AMENDMENTS: Mr. Sullivan reviewed changes to the Personnel Policy pertaining to Earned Time accrual schedules and Health co-payments for a high deductible plan for non-union employees hired after April 1, 2011. He noted that these changes were also made part of the recently approved union contracts. He explained that the amendments were posted and that he has received no questions or comments.

Mr. Hohenberger asked what the maximum earned time caps an employee could accrue were with Mr. Sullivan responding that the caps for this group remain at 400 hours. Mr. Hohenberger questioned the difference in the amount of earned time for department heads. Mr. Sullivan explained that the three day differences at each level are maintained from the prior scales. Mr. Partington asked if there could be a change requiring employees to use all their time. Mr. Sullivan explained that would only apply to non-union employees as the union contracts have already been negotiated and he felt that it is best to remain consistent across all employee groups.

Mr. Sullivan detailed that the other change was in the employee cost share for the ABSOS20 High Deductible Health Plan which was being reduced from 25% to 20%.

Mr. Hohenberger moved and Mr. Breton seconded to approve the amendments as posted with an effective date of April 1, 2020. Roll call Vote – All members Yes. Motion passed 5-0.

BID WAIVER – NEW POLICE CRUISERS: Chief Lewis requested a waiver of the bid process for the five cruisers budgeted for replacement for 2020. The department plans to use the State bid process, which would be the third time the Town has used the State bid process in the past several years. The budget was approved at approximately \$167,000 plus \$73,000 to provide the equipment necessary for the cruisers. The Finance Director will be setting up a three (3) year lease for the cruisers. It is estimated each cruiser would cost \$33,519. Mr. Breton moved and Mrs. Simmons seconded to waive the bid process and allow use of the State bid. Roll call Vote – All members Yes. Motion passed 5-0.

Chief Lewis requested that the Town purchase the cruisers from the State recommended dealership, Irwin Motors in Laconia NH. Mr. Breton moved and Mrs. Simmons seconded to purchase from Irwin Motors as requested. Roll call Vote – All members Yes. Motion passed 5-0.

BID WAIVER – REPLACEMENT POLICE CRUISER: Chief Lewis requested a bid waiver to replace an administration car that was recently totaled in an accident. The vehicle was a 2015 Ford Taurus that was due to be replaced next year. The Town's insurance is processing a claim for \$12,175 less a \$1,000 deductible, so the Town will receive \$11,175 which will go towards the replacement cost of the vehicle. Chief Lewis requested that the Board approve using the State of Massachusetts bid process results which Windham can participate in due to its regional proximity. The Police Department has purchased through this process in the past.

Mr. Breton moved and Mrs. Simmons seconded to purchase from Irwin Motors as requested. Roll call Vote – Mr. Breton, Mr. McLeod, Mr. Partington, and Mrs. Simmons voted Yes; Mr. Hohenberger voted No. Motion passed 4-1.

Chief Lewis requested approval to purchase the replacement vehicle from the Colonial Municipal Group in Plymouth, MA. The vehicle will be a 2020 Chevy Equinox. It will have a net cost of \$15,662.75, after insurance proceeds. Mr. Breton moved and Mrs. Simmons seconded to purchase from Irwin Motors as requested. Roll call Vote – All members Yes. Motion passed 5-0.

BID WAIVER – HIGHWAY LOADER: Mr. Sullivan requested approval to purchase a loader for the Highway Department from Chappelle Tractor for a cost of \$74,126, after receiving \$20,000 for the trade-in of our 2013 loader. He explained that the Board approved a waiver of the bid process at the March 23rd meeting to allow the use of a sole source bid from Chappelle, the vendor who we have purchased our past two loaders. The Finance Director will attain quotes for a three year lease. Mr. Breton moved and Mr. Hohenberger seconded to purchase from Chappelle as requested. Roll call Vote – All members Yes. Motion passed 5-0.

BOARD LIAISONS: Mr. Sullivan reviewed the list of Board Liaisons he had sent to the Board of Selectmen based on their preferences. Mr. Hohenberger offered to assume the vacant Planning Board alternate position while Mr. Breton offered to assume the Economic Development alternate and Mrs. Simmons the Searles position. Mrs. Simmons removed her interest from the HDC and Welfare positions leaving those open for Mr. Partington and Mr. Breton to assume respectively. Mr. Breton did likewise for the Recreation position with Mrs. Simmons taking on this role. Mr. Breton moved and Mrs. Simmons seconded to adopt the slate of liaison assignments as posted with the few changes noted. Roll call Vote – All members Yes. Motion passed 5-0.

OLD/NEW BUSINESS: Mr. Sullivan updated the Board on the progress of the Animal Control facility renovations. Chief Lewis extended an invitation for any of the Board members to call the Police Department to schedule a tour of the facility.

Mr. McLeod stated he is looking to schedule a joint meeting with the School Board after the Pandemic and normal business resumes. Other members concurred.

MINUTES: Mr. Hohenberger moved and Mr. Breton seconded to approve the minutes of March 12th as drafted. Roll call Vote – Mr. Hohenberger, Mr. McLeod, Mr. Partington, and Mr. Breton voted Yes, Mrs. Simmons abstained as she was not on the Board. Motion passed 4-0-1.

Mr. Breton moved and Mrs. Simmons seconded to approve the minutes of March 23rd as drafted. Roll call Vote – all members Yes – Motion passed 5-0.

ROAD BOND RELEASE: Mr. Sullivan requested the Board approve a partial release of a road bond for London Bridge South. The amount of the current bond is \$180,817.45 with a requested release amount of \$114,212.25, retaining \$66,605.20. The Planning Board has approved the request. Mr. Hohenberger moved and Mr. Breton seconded to approve the requested release of \$114,212.25. Roll call Vote –all members Yes. Motion passed 5-0.

EXECUTIVE ORDER #25: Mr. Sullivan reviewed Governor Sununu’s Executive Order #25 regarding foreclosures and tax deeding, explaining that Towns could not take property for tax deeding during the Pandemic. He further noted that the Board is given the authority to consider abatement of interest on taxes that can’t be paid with the upcoming July 1, 2020 tax payments. This could be a future agenda item should the Board wish to consider such authority.

Mr. Sullivan thanked all the First Responders, Employees and residents for all they have done during the crisis, noting that there has been a lot of cooperation and understanding with very few concerns.

Mr. Partington thanked Eric Delong, IT Director, for setting up the virtual meeting successfully.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mrs. Simmons seconded to enter into non-public session in accordance with RSA 91-A:3 II a. Roll call Vote – all members voted Yes.

Personnel: The Board and Mr. Sullivan were present. The Board discussed the recent promotion of Deputy Chief Brady to the position of Assistant Chief and discussed the pay rate to start the new position. Mr. Breton moved and Mr. Hohenberger seconded to place the Chief at Step 4 of the Assistant scale effective April 2, 2020, which is one step above his current rate as Deputy. Roll call Vote – all members voted Yes. Motion passed 5-0.

Mr. Breton moved and Mr. Hohenberger seconded to come out of non-public session. Roll call Vote – all members voted Yes. Motion passed 5-0.

Mr. Breton moved and Mrs. Simmons seconded to adjourn the meeting. Roll call Vote – all members voted Yes. Motion passed 5-0.

Meeting adjourned at 8:03 pm.

Respectfully submitted,
Paula Carmichael, HR Director